

**New Town - Section 9
Residential Areas
Water Conservation Guidelines**

These water conservation regulations are adopted by AIG Baker Williamsburg, L.L.C, an Alabama limited liability company and the New Town Residential Property Owners Association ("RPOA") for New Town Section 9, after approval by the James City Service Authority ("JCSA") under the requirements of Paragraph 12 Water Conservation Proffers for New Town Section 9 dated March 17, 2006 of record in the office of the Clerk of the Circuit Court for the City of Williamsburg and County of James City as Instrument Number 060017870, as such Proffers may be amended from time to time. Use of any lot within the New Town development for residential purposes shall be at all time be subject to the following rules, as they may be amended from time to time.

1. Water-Efficient Landscaping

- a. Primary plantings should be drought tolerant, low water use plants. Non-invasive native plants are recommended. Note: A suggested plant list is available from the James City Service Authority (JCSA).
- b. Whenever possible, existing trees and vegetation should be retained.
- c. Trees located in turf areas should be mulched.

2. Irrigation Systems

- a. No more than fifteen percent of a multi-family site should be allowed turf irrigation.
- b. Underground automatic drip irrigation systems shall be permitted for both landscaped beds and turf.
- c. Pre-existing vegetation should not be irrigated.
- d. Drip emitters (drip irrigation) will be used in landscape beds unless spray heads are necessary for plant material types and/or location.
- e. Automatic overhead irrigations systems will be allowed for turf and no more than 6% of landscaped beds unless otherwise approved by JCSA. Sprinkler heads are to be pressure-regulated and systems must include rain sensors.
- f. Outdoor water use shall be in accordance with James City County Ordinance Article VII - Outdoor Water Use, as amended.
- g. No irrigation wells shall be allowed unless approval is granted by JCSA. Wells must withdraw water from the Aquia or the Potomac Aquifers only. Where feasible, water for irrigation should come from surface water and/or stormwater retention facilities.

3. Indoor Appliances

- a. All builder-installed hot water heaters, washing machines and dishwashers should be water efficient models.
- b. Where appropriate, point of use and/or centrally located small-volume hot water heaters should be used.

4. Changes and Amendments

- a. RPOA reserves the right to amend or change Water Conservation Guidelines provided, however, that JCSA must first approve any amendment or change.
- b. Written notice of any changes shall be sent to all members of the RPOA within ten (10) days of adoption and approval.

5. Enforcement

- a. The New Town Section 9 Residential Water Conservation Guidelines shall be fully enforceable by the RPOA Board of Directors. The RPOA shall make it's members aware of these guidelines and shall monitor and enforce compliance.
- b. From time to time the JCSA and James City County may adopt generally applicable water conservation rules. RPOA shall incorporate such rules, which shall be fully enforceable by RPOA as well as JCSA and James City County.

Signature:  AIG Baker Williamsburg, L.L.C.

Print: ALEX D. BAKER, PRESIDENT By: AIG BAKER SHOPPING CENTER PROPERTIES, LLC.
ITS SUE MEMBER

Date: _____

Signature:  James City Service Authority

Print: LARRY M. FOSTER

Date: 9/27/07

**New Town - Section 9
Non-Residential Areas
Water Conservation Guidelines**

These water conservation regulations are adopted by AIG Baker Williamsburg, L.L.C, an Alabama limited liability company, Settlers Market Developers, LLC, a Virginia limited liability company, and the New Town Commercial Property Owners Association ("CPOA") for New Town Section 9, after approval by the James City Service Authority ("JCSA") under the requirements of Paragraph 12, Water Conservation Proffers for New Town Section 9 dated March 17, 2006 of record in the office of the Clerk of the Circuit Court for the City of Williamsburg and County of James City as Instrument Number 060017870, as such Proffers may be amended from time to time. Use of any lot within the New Town development for non-residential purposes shall be at all time be subject to the following rules, as they may be amended from time to time.

1. Water-Efficient Landscaping

- a. No more than five percent of the developed area should be allowed turf irrigation. (Exceptions: Northern Focal Open Spaces, Neighborhood Open Spaces)
- b. Primary plantings should be drought tolerant, low water use plants. Non-invasive native plants are recommended. Note: a Suggested plant list is available from the James City Service Authority (JCSA).
- c. Wherever possible, existing trees and vegetation should be retained.
- d. Trees located in turf areas should be mulched.

2. Irrigation Systems

- a. Underground automatic drip irrigation systems shall be permitted for both landscaped beds and turf.
- b. Pre-existing vegetation should not be irrigated.
- c. Drip emitters (drip irrigation) will be used in landscape beds unless spray heads are necessary for plant material types and/or location.
- d. Automatic overhead irrigations systems will be allowed for turf and no more than 6% of landscaped beds unless otherwise approved by JCSA. Sprinkler heads are to be pressure-regulated and systems must include rain sensors.
- e. Outdoor water use shall be in accordance with James City County Ordinance Article VII - Outdoor Water Use, as amended.
- f. No irrigation wells shall be allowed unless approval is granted by JCSA. Wells must withdraw water from the Aquia or the Potomac Aquifers only. Where feasible, water for irrigation should come from surface water and/or stormwater retention facilities.

3. Indoor Appliances


- a. All builder-installed hot water heaters, washing machines and dishwashers should be water efficient models.
- b. Where appropriate, point of use and/or centrally located small-volume hot water heaters should be used.

4. Changes and Amendments

- a. CPOA reserves the right to amend or change Water Conservation Guidelines provided, however, that JCSA must first approve any amendment or change.
- b. Written notice of any changes shall be sent to all members of the CPOA within ten (10) days of adoption and approval.

5. Enforcement

- a. The New Town Section 9 Non-Residential Water Conservation Guidelines shall be fully enforceable by the CPOA Board of Directors. The CPOA shall make it's members aware of these guidelines and shall monitor and enforce compliance.
- b. From time to time the JCSA and James City County may adopt generally applicable water conservation rules. CPOA shall incorporate such rules, which shall be fully enforceable by CPOA as well as JCSA and James City County.

Signature: 

AIG Baker Williamsburg, L.L.C.

Print: ALEX D. BAKER, PRESIDENT

By: AIG BAKER SHOPPING CENTER PROPERTIES, L.L.C.
ITS SOLE MEMBER

Date: _____

Signature: 

Settlers Market Developers, LLC

Print: Joseph R. Baranowski, Member

Date: 9/17/07

Signature: 

James City Service Authority

Print: LARRY M. FOSTER

Date: 9/27/07